

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,
-vs-
PATRICK ELLIOTT PEARSON,
Defendant.

Nos. 2:19-CR-0111-WFN-3
2:19-CR-0173-WFN-1

ORDER GRANTING DEFENDANT'S
MOTION TO SUPPRESS AND
STRIKING EVIDENTIARY HEARING

Pending before the Court is the Defendant's Motion to Suppress. ECF No. 908. Defendant seeks to suppress statements made to law enforcement while questioned at the hospital on July 24, 2019. The Government "will not seek to introduce in its case-in-chief any statements made by the Defendant during his time in the hospital." Government's Response, ECF No. 910, p. 2. The Court has reviewed the file and briefing and is fully informed. Accordingly,

IT IS ORDERED that:

1. Defendant's Motion to Suppress, filed February 19, 2021, **2:19-CR-0111-WFN-3 ECF No. 908**, is **GRANTED**. Defendant's statements made to law enforcement while in the hospital shall not be introduced in the Government's case-in-chief.

2. The March 9, 2021, hearing date is **STRICKEN** in both above-captioned matters.

3. The **May 18, 2021**, pretrial conference is **CONFIRMED** in both above-captioned matters. Defendant's Motion for Henthorn Discovery, **ECF No. 464**, Motion for Franks Evidentiary Hearing, **ECF No. 467**, and Motion to Suppress the Contents of Wire and Oral Communications Intercepted Pursuant to Title III and Evidence Derived Therefrom. . ., **ECF No. 469**, in **2:19-CR-0111-WFN-3** are **RENOTED for hearing at that time**. If defense counsel chooses not to proceed on any of the motions listed above, a notice shall be filed no

1 later than **May 4, 2021**, updating the Court and counsel for the Government of the change
2 of status.

3 4. Filing deadlines for the May 18, 2021, pretrial conference, set in the Court's Order
4 at **2:19-CR-0111-WFN-3 ECF No. 889** and **2:19-0173-WFN-1 ECF No. 147**, are
5 **CONFIRMED.**

6 The District Court Executive is directed to file this Order and provide copies to
7 counsel.

8 **DATED** this 3rd day of March, 2021.

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11 WM. FREMMING NIELSEN
12 SENIOR UNITED STATES DISTRICT JUDGE
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